

August 5, 2020

The Trustees of the Village of Malcolm met on Wednesday, August 5, 2020 at 7:00 p.m. in open session at the Village Hall located at 137 East 2<sup>nd</sup> Street, Malcolm, NE for such business as shall come before said Trustees. Notice of the meeting was in the July 23, 2020 "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, August 3, 2020.

#### ROLL CALL

Hicken, Kopecky, Schweitzer, Little

Absent: Rohe

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

VISITORS PRESENT: Cary Sandall, Randy Brown, Brock Rezny, Todd & Andrea Thieman, Nolan Rathe, Judy Jirovsky.

APPROVAL OF MINUTES: Hicken made a motion to accept the minutes of the July 8, 2020 meeting, seconded by Kopecky. The Chairperson called for the vote recorded as follows: AYE: Hicken, Kopecky, Schweitzer; NAY: None; Abstained; Little; Motion carried 3-0; Members absent: Rohe.

TREASURER REPORT – Schweitzer made a motion to accept the treasurer's report for the month of July 2020, with disbursements of \$23,901.05 and deposits of \$41,609.35. Motion seconded by Kopecky. The Chairperson called for a vote recorded as follows: AYE: Hicken, Kopecky, Schweitzer, Little; NAY: None; Motion carried 4-0; Members absent: Rohe.

Crystal Dunekacke, Ashley Larsen, Jim Warrelman and Trey with Southeast Nebraska Development District (SEND) called into the meeting via conference calling to talk about the Village of Malcolm becoming a member of SEND now that the Lancaster County Commissioners became a member, this opens it up for all Villages and Cities county wide to become a Member as well.

David Rohe arrive at 7:10 p.m.

Randy Brown was present to discuss applying for the Land and Water Conservation Fund (LWCF) and Community and Civic Center Financing (CCCFF) grants SEND could write that need to go through the Village. This item will be discussed after the Board decides whether to become a member of SEND.

Nolan Rathe, the owner of the Malcolm Clipper and Car Wash was present to discuss how the car wash and food trucks were going. Nolan installed cameras at the car wash and has had some issues with people using the car wash for a restroom, so was asking the Board about the possibility of restrooms being installed somewhere in the downtown area.

Brock Renzy was present to discuss his building permit and variances he is requesting for sidewalks and setbacks. This item will be future discussed later in the meeting.

MAINTENANCE REPORT: A report was submitted and received by the Board.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

VILLAGE CLERK REPORT: A report was submitted and received by the Board.

BACKGROUND: Zito media Agreement: David Solheim is still working with them; this item will be tabled until next meeting.

BACKGROUND: Creek erosion at the left field light pole at ball field: Still waiting for the Corp of Engineers to review the plan. Tabled until next month.

BACKGROUND: Sidewalk at big park: still waiting for bids, tabled until next month.

BACKGROUND: Recycling Center: Board reviewed the three bids from Uribe, You Dump it and Recycling Enterprises regarding pick up charges to keep the recycling center open. This item will be tabled until next month to look into other options.

Kopecky made a motion to waive the three-reading rule for Ordinance 2020-05, Hicken seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Ordinance 2020-05 – Rohe made a motion to approve Ordinance 2020-05, an Ordinance to set compensation for Village Employees, Officials and Members of the Board of Trustees. Following the reading, Hicken seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

BACKGROUND: Resolution 2020-05; Rohe made a motion to approve Resolution 2020-05, a Resolution for the Village of Malcolm to exceed the Budget limit for restricted funds for the 2020-2021 Fiscal Year by an additional 1%. Following the reading, Schweitzer seconded the motion. The Chairperson called for a roll call vote recorded as follows: AYE Hicken, Rohe, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

BACKGROUND: 266 & 276 South Exeter Street – Divide lot and rezone: Mr. Murray has submitted a request to divide the two houses on his property on South Exeter Street; also requested to have it rezoned from Commercial to Residential. After further discussion, Hicken made a motion to start the process to have the property rezoned. Little seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None.

A Boundary Survey was submitted, Mr. Murray will need a Preliminary Plat with a signature block submitted to divide the property. This will be on the September agenda.

Malcolm Planning Commission - Recommendation 339 – Building Permit for 9515 NW 112 – Storage Units, Randy Wobig; Rohe made a motion to approve Recommendation 339 for a building permit for storage units at 9515 NW 112 up by the communication tower. Kopecky seconded the motion. After further discussion and review of the plans, the Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Malcolm Planning Commission - Recommendation 340 (a) – Variance for sidewalks. After further review of the Recommendation from the Planning Commission, Little made a motion to approve the variance for no sidewalks contingent that per Malcolm code if sidewalks are required it is the homeowners responsibility. Kopecky seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Malcolm Planning Commission - Recommendation 340 (b) front yard setbacks at 420 Elk Creek Road: Kopecky made a motion to approve the variance request for a 4-foot setback infringement at 420 Elk Creek Road, bringing the house setback to 23-foot; and the two bump outs to 21-foot setbacks per the drawing that was submitted. Little seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Malcolm Planning Commission - Recommendation 341 – Building Permit for 420 Elk Creek Road a new home – Brock & Kelsey Rezny: Rohe made a motion to approve Recommendation 341 for the building permit for Brock & Kelsey Rezny's new home at 420 Elk Creek Road. Schweitzer seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

Malcolm Planning Commission - Recommendation 342 – Building Permit for 533 Education Drive – basement framing only – Andy & Crystal Meister: Following further review of the building permit, Rohe made a motion to approve the application submitted by Andy & Crystal Meister for basement framing only. Hicken seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

With no further business to discuss, Kopecky moved to adjourn at 10:24 p.m. Rohe seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Rohe, Hicken, Kopecky, Schweitzer, Little; NYE: None; Motion carried 5-0; Members absent: None

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Nadine Link, Village Clerk

